

All corrections to notes on this calendar should be filed no later than 12 P.M. (Noon) on 10-6-06. Document filed after this time may not be reviewed prior to hearing and could result in a continuance of your case. The update to these notes will be posted in the late afternoon of the following day.

The Probate Examiners can be reached at ProbateNotes@courts.sbcounty.gov. Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. PLEASE DO NOT SEND EMAILS TO STATE THAT DOCUMENTS HAVE BEEN FILED, TO REQUEST A CONFIRMATION OF WHETHER DOCUMENTS HAVE BEEN RECEIVED, OR TO REQUEST THE CLEARING OF NOTES. No legal or procedural advice may be given.

San Bernardino Superior Court
CIVCAL4 San Bernardino District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: SPRSS05319

CASE NAME: MTTR OF LAWRENCE W SAMLER

HEARING:
Hearing Re: FINAL DISCHARGE.

COUNSEL:
RUTH L HENRICKS (PET)...HARTNELL LISTER & MOORE
LAWRENCE W SAMLER (TP)...
DIANE A BROWN (JANET M HERRING)...JANET M H
DEPARTMENT OF HEALTH SERVICES (PRO/PER)...PRO/PER

GENERAL INFORMATION

On 8/23/06, the parties settled as to issues before the court and the court set this hearing.

THIS CASE IS SET FOR HEARING ON Final Discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Need to file receipts per settlement agreement and submit final discharge declaration/order.

RECOMMENDATION:
Find out status.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00116

CASE NAME: MTR OF CONSERVATORSHIP OF MARTIN ACOSTA

HEARING:
Accounting Review

	COUNSEL:
JOAQUIN A ACOSTA	(PET)...
MARTIN ACOSTA	(CEP)...PRO/PER
SANDRA ACOSTAA	(PET)...STANLEY W HODGE
MARTIN ACOSTA	(CEP)...PRO/PER

GENERAL INFORMATION

The court ordered the waiver of accounting for the period 8/8/04 – 8/22/06 on 9/5/06. This matter may go off calendar.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00378

CASE NAME: MATTER OF STEVEN BROWN

HEARING:
Accounting Review

COUNSEL:
CLAUDE BROWN (PET)...ELROY GIDDENS
CARIE LYNN CLARK (CPE)...ELROY GIDDENS
GERALDINE DENISE DIAMOND (CPE)...ELROY GIDDENS
STEVEN EUGENE BROWN (CEP)...

GENERAL INFORMATION
Accounting is due for the period 8/14/04-8/13/06

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;
1. No accounting/waiver of accounting is filed.

RECOMMENDATION:
Find out status.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00445

CASE NAME: MATTER OF PEARL WRIGHT

HEARING:
Hearing Re: PETN FOR APPROVAL OF ACCOUNT.

COUNSEL:
BRENDA WRIGHT (CPE)...DAVID & TURNER
PEARL WRIGHT (CEP)...
RANDY WRIGHT (OBJ)...NAREN M HUNTER
DEBORAH WRIGHT THOMAS (PRO/PER)...PRO/PER

GENERAL INFORMATION
continued from 5/19/06 & 9/8/06.

THIS CASE IS SET FOR HEARING ON accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. There are actually 2 accountings that need to be filed. The first is by Brenda Wright concerning 12-15-04 through 2-28-06. That accounting has not been filed. As to the accounting by Randy Wright, see next page.
2. At the time of the 1-27-06 hearing the court ordered Brenda Wright to file an accounting 30 days prior to the 5-19-06 hearing date. As of 4-26-06 nothing new has been filed.

RECOMMENDATION:

Set OSC re failure to file account/surcharge. Issue Citation and have it personally served on conservator and counsel. No bonding company to notice.

CASE #: VC VS00445

CASE NAME: MATTER OF PEARL WRIGHT

HEARING:

Hearing Re: ACCOUNTING REVIEW FROM BRENDA WRIGHT.

COUNSEL:

BRENDA WRIGHT (CPE)...DAVID & TURNER

PEARL WRIGHT (CEP)...

RANDY WRIGHT (OBJ)...NAREN M HUNTER

DEBORAH WRIGHT THOMAS (PRO/PER)...PRO/PER

See prior notes (above).

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00464

CASE NAME: MTR OF COY DAVIS

HEARING:

Motion re: EQUITABLE RELIEF BASED ON EXTRINSIC FRAUD ETC filed
by Claimant COY DAVIS, FRANK DAVIS

COUNSEL:

MELONIE GORDON	(PET)...	PRO/PER
COY DAVIS	(CEP)...	SHERRI L KASTILAHN
LAWRENCE A DEAN II	(CPE)...	HORSPOOL & PARKER
FRANK DAVIS	(CLA)...	JEFF GROTKE
FRANK DAVIS	(APP)...	JEFF GROTKE
MCKENZIE SIMMONS	(OBJ)...	PHILIPSON & ERDMIER
MELONIE GORDON	(RICHARD S COLLINS)...RICHARD S
COY DAVIS	(SHERRI L KASTILAHN)...SHERRI L
MCKENZIE SIMMONS	(PHILIPSON & ERDMIER)...PHILIPSON
LAWRENCE A DEAN II	(HORSPOOL & PARKER)...HORSPOOL

No file available for review.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00466

CASE NAME: MTR OF PATRICIA WARD

HEARING:

Hearing Re: FIRST ACCNT CURRENT & RPT OF CONSERVATOR ETC.

COUNSEL:

PETER WARD (PET)...THE HEGNER LAW FIRM
PATRICIA WARD (CEE)...

GENERAL INFORMATION

Accounting covers period 5/10/05 – 5/10/06.

THIS CASE IS SET FOR HEARING ON 1st Account Current and Report of Conservator

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Need to file Notice of Hearing and proof of service.
2. Petitioner waives fees for this accounting period.
3. Attorney makes no request for fees. Question whether attorney is also waiving fees? File verified supplement.
4. Petitioner alleges current bond of \$368,000 is filed. Appears adequate.
5. Need to file original bank statements to support cash balances on hand per Pr.C. §2620.

RECOMMENDATION:

Need to clear notes. If approved, set next accounting review for 11/14/07. Accounting to be filed 30 days in advance.

CASE #: VC VS00466

CASE NAME: MTR OF PATRICIA WARD

HEARING:
Accounting Review

PETER WARD	COUNSEL:
PATRICIA WARD	(PET)...THE HEGNER LAW FIRM
	(CEE)...

GENERAL INFORMATION
Accounting is filed (see prior notes above).

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00541

CASE NAME: MATTER OF RICHARD SCHLEGEL

HEARING:
Hearing Re: PETN TO FIX RESIDENCE OUTSIDE CA.

COUNSEL:
SUSAN L BEACH (PET)...ZUMBRUNN LAW CORPORATION
RICHARD SCHLEGEL (CPE)...

GENERAL INFORMATION
Temporary letters issued 8/23/06

THIS CASE IS SET FOR HEARING ON Petition to Fix Residence Outside California.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Need to file Notice of Hearing and proof of service.
2. Petitioner requests to move conservatee to the State of Washington where conservatee has previously purchased a home (prior to the conservatorship). Petitioner will seek conservatorship proceedings in that state.

RECOMMENDATION:
Court's discretion subject to note 1.

CASE #: VC VS00541

CASE NAME: MATTER OF RICHARD SCHLEGEL

HEARING:

Petition for Appointment of Conservator

COUNSEL:

SUSAN L BEACH
RICHARD SCHLEGEL

(PET)...ZUMBRUNN LAW CORPORATION
(CPE)...

GENERAL INFORMATION

Temporary letters issued 8/23/06 (with bond of \$400,000)

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservator, person and estate, by daughter (Susan Beach)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner requests bond be fixed in an amount determined by the court. It appears bond should be fixed in the amount of \$400,000. JTD
2. Petitioner requests 2590 powers. Specifically, the authority to deposit funds, control the estate, power to pay, collect, compromise, arbitrate or otherwise adjust claims, debts or demands.
3. Petitioner requests medical powers. Medical Capacity Declaration is filed supporting request. However, declaration is not initialed by physician at paragraph 7(b)
4. Proposed conservatee is unable to attend hearing due to medical inability. Need return of Citation.
5. Need Court Investigator's report.
6. There is a petition to fix the residence of conservatee to the State of Washington (prior matter 7). Court may wish to continue temporary conservatorship for that purpose and then require petitioner to file a final accounting/report as to temporary. JTD

RECOMMENDATION:

Need to clear notes

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS00932

CASE NAME: MTR OF JAZMYNE & ZACHERY SHOEMAKER

HEARING:
Accounting Review

COUNSEL:
ZACHERY SHOEMAKER (MIN)...
JAZMYNE SHOEMAKER (MIN)...
PAUL SHOEMAKER (PET)...KYLE E WOOLDRIDGE
LORETTA SHOEMAKER (PET)...KYLE E WOOLDRIDGE

GENERAL INFORMATION: continued from 3/3/06 & 6/9/06. Nothing new filed.
Accounting to cover period 10/1/03 – 9/30/05.

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;
1. Accounting not filed. Clerk has given notice.

RECOMMENDATION:
Set hearing in accord with Pr.C. §2620.2

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS01156

CASE NAME: MATTER OF ALFREDO A FLORES JR

HEARING:
Petition for Termination of Guardianship

COUNSEL:
ALFREDO FLORES (PET)...PRO/PER
KATHERINE FLORES (PET)...PRO/PER
ALFREDO A FLORES JR (MIN)...
BARBARA JEAN DIAZ (OBJ)...

GENERAL INFORMATION: continued from 8/4/06. Court referred matter to Court Investigator for investigation and report. We are awaiting report.

THIS CASE IS SET FOR HEARING ON Petition to terminate guardianship

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the mother of the minor. She alleges that she has her life back in order and can now care for her son. She is living in the home of the guardian. She is employed.
2. Section 9 of petition not completed as to maternal grandmother. File verified supplement and provide proof of service.
3. Objection filed.
4. Need Court Investigator's report.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS01161

CASE NAME: ZOYA CHRISTOPHERSEN

HEARING:
Petition for Termination of Guardianship

COUNSEL:
LISA WARNER (PET)...PRO/PER
TIMOTHY WARNER (PET)...PRO/PER
ZOYA CHRISTOPHERSEN (MIN)...

GENERAL INFORMATION Continued from 6-2-06 & 7/21/06. On 7/21/06, the Court referred matter to Court Investigator for investigation and report. We are awaiting report.

THIS CASE IS SET FOR HEARING ON petition to terminate guardianship.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the mother. She alleges that she is in a better place in her life now and it would be in the best interests of the minor to be with her.
2. File notice of hearing and proof of service on all persons listed in section 9 of the petition.
3. Need Court Investigator's report.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS01394

CASE NAME: MATTER OF CALEB BRICE RUNNFELDT; CAMERON LEE

HEARING:

Hearing Re: PETITION FOR TERMINATION (CALEB & KENDRA ONLY).

COUNSEL:

MATTHEW W HUBER (PET)...PRO/PER
BONNIE J HUBER (PET)...PRO/PER
CALEB BRICE RUNNFELDT (MIN)...
CAMERON LEE RUNNFELDT (MIN)...
KENDRA LUCINDA HOMER (MIN)...

GENERAL INFORMATION

Letters of Guardianship originally issued 6/13/06

THIS CASE IS SET FOR HEARING ON Petition for Termination (Caleb and Kendra only),
by guardians, minors 17 & 14

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioners/guardians allege minors no longer wish petitioners to be their guardians and request minors be allowed to reside with aunt and uncle Todd & Lori Murdock who reside in Las Vegas, Nevada.
2. Due diligence declaration filed as to mother and father indicating efforts to locate them were unsuccessful.
3. Court may wish to refer matter to Court Investigator for investigation and report.

RECOMMENDATION:

None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS01577

CASE NAME: MTR OF JOSHUA L BENDER

HEARING:
Petition for Appointment of Guardian

COUNSEL:

SHELLEY L BEAM	(PET)...	CALDWELL, KENNEDY & PORTER, A.
JOSHUA L BENDER	(MIN)...	
ABBY RHOADS	(PG)...	CALDWELL, KENNEDY & PORTER, A.
GEORGE SALAZAR	(PET)...	CALDWELL, KENNEDY & PORTER, A.
JOYCE I SALAZAR	(PET)...	CALDWELL, KENNEDY & PORTER, A.
STEPHANIE WALKER	(OBJ)...	PRO/PER
ARTHUR LEWIS BENDER	()...

GENERAL INFORMATION

Temporary successor letters issued 8/22/06

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Successor Guardians,
by maternal great grandparents (George and Joyce Salazar), minor 4

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Current guardians, Shelly Beam and Abby Rhoads, resigned on 8/14/06
2. Current guardians have signed waiver and consent.
3. Father and mother have each signed nomination, waiver and consent.

RECOMMENDATION:

None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS01790

CASE NAME: MATTER OF SADIE NICKOL BANUELOS

HEARING:
Petition for Termination of Guardianship

COUNSEL:

JESUS BANUELOS (PET)...KYLE E WOOLDRIDGE
BERTHA BANUELOS (PET)...KYLE E WOOLDRIDGE
SADIE NICKOL BANUELOS (MIN)...
CARIME POMPA (PET)...PRO/PER

GENERAL INFORMATION: continued from 8/11/06. Court referred matter to Court Investigator for investigation and report. We are awaiting report.

THIS CASE IS SET FOR HEARING ON petition to terminate

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners are the parents. They allege that the father has maintained his employment throughout the guardianship. Mother has completed all courses at Victor Valley Perinatal Treatment Center. Mother is now employed on a part-time basis. They now have a 4 bedroom 2 bath apartment.
2. Petitioner alleges that the guardians are denying them access and that it is jeopardizing relationship with the minor. They wish to reunify the family.
3. File notice of hearing and proof of service on all persons listed in section 9 of the petition, including minors 12 and over.
4. Objections filed by guardian (Bertha Banuelos)
5. Need Court Investigator's report.

RECOMMENDATION:
None

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS01791

CASE NAME: MATTER OF LORRAINE & ISABEL POMPA

HEARING:

Hearing Re: PETITION TO TERMINATE.

COUNSEL:

JESUS BANUELOS	(PET)...KYLE E WOOLDRIDGE
BERTHA BANUELOS	(PET)...KYLE E WOOLDRIDGE
LORRAINE POMPA	(MIN)...
ISABEL POMPA	(MIN)...
CARIME POMPA	(PET)...PRO/PER
RUDY POMPA	(PET)...PRO/PER

GENERAL INFORMATION Letters issued 3/18/05

Continued from 8/18/06. Court referred matter to Court Investigator for investigation and report. We are awaiting report.

THIS CASE IS SET FOR HEARING ON Petition to terminate guardianship

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners are the parents. Petitioners allege that the guardians are denying them visitation and phone contact. They feel they are now in a position to care for the minors. They have recently rented a 4 bedroom, 2 bath apartment. Mother alleges that she has completed outpatient therapy. Mother is now employed part time at dollar mart.
2. Guardian/Bertha Banuelos personally served 7/24/06. However, still need proof of service on Guardian/Jesus Banuelos.
3. File notice of hearing and proof of service on persons listed in section 9 of the petition including minors 12 and over.
4. There is no opposition in the file at the time of this review.
5. Need Court Investigator's report.

RECOMMENDATION: None. See next page for companion case.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS01860

CASE NAME: MTR OF NICHOLAS CRUZ POMPA

HEARING:
Hearing Re: PETITION TO TERMINATE.

COUNSEL:

SERGIO BANUELOS	(PET)...PRO/PER
VANESSA BANUELOS	(PET)...PRO/PER
NICHOLAS CRUZ POMPA	(MIN)...
RUDY POMPA	(PET)...PRO/PER
CARIME POMPA	(PET)...PRO/PER

GENERAL INFORMATION Letters issued 6/24/05

Continued from 8/18/06. Court refers matter to Court Investigator for investigation and report. We are awaiting report.

THIS CASE IS SET FOR HEARING ON Petition to terminate guardianship

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners are the parents. Petitioners allege that the guardians are denying them visitation and phone contact. They feel they are now in a position to care for the minors. They have recently rented a 4 bedroom, 2 bath apartment. Mother alleges that she has completed outpatient therapy. Mother is now employed part time at dollar mart.
2. Guardian/Sergio Banuelos personally served 8/3/06. However, still need proof of service on Guardian/Vanessa Banuelos.
3. File notice of hearing and proof of service on persons listed in section 9 of the petition including minors 12 and over.
4. There is no opposition in the file at the time of this review.
5. Need Court Investigator's report.

RECOMMENDATION: None. See preceding page for companion case.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS01912

CASE NAME: THE MATTER OF ALYSSA STRAUSE & ROBERT LAUFER

HEARING:

Hearing Re: PROOF OF GUARD IN NV/TERM OF GUARD.

COUNSEL:

STEPHANIE ASHMORE	(PET)...PRO/PER
ALYSSA L STRAUSE	(MIN)...
ROBERT E LAUFER JR	(MIN)...

GENERAL INFORMATION: continued from 8/4/06. Nothing new filed.

THIS CASE IS SET FOR HEARING ON proof of guardianship in Nevada and termination of California guardianship

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No proof filed.

RECOMMENDATION:

Set for O.S.C. re dismissal of California guardianship. Have clerk give notice to guardian at Nevada address, marked with yellow tab in file.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS01991

CASE NAME: MTR OF ERICCA & SHYANN JONES

HEARING:
Petition for Termination of Guardianship

	COUNSEL:
SHALANA CARTER	(PET)...PRO/PER
ERICCA JONES	(MIN)...
SHYANN JONES	(MIN)...
MELINDA WHEAT	(PET)...PRO/PER

GENERAL INFORMATION
Letters of Guardianship originally issued 10/7/05

THIS CASE IS SET FOR HEARING ON Petition for Termination, filed by mother (Melinda Wheat), minors 7 & 4

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner/mother alleges there is no longer a need for guardianship and mother is ready to take children back.
2. File notice of hearing and proof of service on persons listed in section 9 of the petition including minors 12 and over.

RECOMMENDATION:
None

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02142

CASE NAME: MATTER OF XAVIERRE ALLEN

HEARING:
OSC re: DISMISSAL

	COUNSEL:
ROSE M JAMISON	(PET)...PRO/PER
XAVIERRE ALLEN	(MIN)...

GENERAL INFORMATION: continued from 6/9/06. Parties were not present and court set this OSC re dismissal

THIS CASE IS SET FOR HEARING ON OSC re dismissal

This case was originally set for hearing on petition for guardianship, person only, by paternal grandmother, minor 6 (notes are below)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Father has signed nomination, waiver and consent.
2. Due diligence declaration filed as to mother indicating efforts to locate mother were unsuccessful. JTD
3. Due diligence declaration filed as to MGPs indicating efforts to locate MGPs were unsuccessful. JTD
4. Due diligence declaration filed as to PGF indicating efforts to locate PGF were unsuccessful. JTD
5. Petitioner has filed a Declaration indicating petitioner did not understand the procedures of the permanent guardianship when the temporary guardianship was denied. Petitioner requests the court to allow the petition for guardianship to be heard.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02182

CASE NAME: MATTER OF JACLYN R ANDRADE

HEARING:
Petition for Appointment of Guardian

COUNSEL:
KIMBERLY D ANDRADE (PET)...PRO/PER
JACLYN R ANDRADE (MIN)...
DEBRA ANDRADE (PET)...PRO/PER

GENERAL INFORMATION: Temporary letters issued 7/5/06.
Continued from 8/11/06

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by aunt, minor 16.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. File notice of hearing and proof of service per order prescribing notice. Mother served.
2. Also need proof of personal service on minor.
3. On 7-10-06 the court heard an exparte for termination of guardianship. Court deemed the petition for termination to be an objection to the petition for guardianship.
4. Court referred matter to Court Investigator for report and recommendation. We are awaiting report.
5. Court may wish to review confidential screening form.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02187

CASE NAME: MATTER OF NESTER & FELTUS

HEARING:
Petition for Appointment of Guardian

COUNSEL:
LATASHIA L MARION (PET)...PRO/PER
LAVAUGHNTE NESTER (MIN)...
JAUSHAUN FELTUS (MIN)...

GENERAL INFORMATION: Temporary letters issued 7/10/06
Continued from 8/11/06

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by great maternal aunt, minors 12 and 11.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner alleges minors were subject of guardianship by great paternal grandmother outside of California and that the guardian died 4/10/06.
2. Oldest minor was personally served on 9/7/06.
3. Due diligence declaration filed as to mother indicating efforts to locate mother were unsuccessful.
4. Due diligence declaration filed as to father (1) & father (2) indicating names/whereabouts are unknown and thus efforts to locate father (1) & father (2) were unsuccessful. JTD
5. Due diligence declaration filed as to PGPs(1) & PGPs(2) indicating names/whereabouts are unknown and thus efforts to locate PGPs(1) & PGPs(2) were unsuccessful. JTD
6. Due diligence declaration filed as to MGPs indicating efforts to locate MGPs were unsuccessful. JTD

RECOMMENDATION: None

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02223

CASE NAME: MATTER OF HOPE E MERRILL

HEARING:
Petition for Appointment of Guardian

	COUNSEL:
NICKIE A MERRILL	(PET)...PRO/PER
HOPE E MERRILL	(MIN)...

GENERAL INFORMATION: Temporary letters issued 8/21/06

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by maternal grandmother, minor 7 months

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Need to file proof of personal service on mother.
2. Copy of birth certificate is filed with no father listed. Does court wish to dispense with notice to father and paternal grandparents? JTD

RECOMMENDATION:
None

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02224

CASE NAME: MATTER OF ALANA M WIER

HEARING:
Petition for Appointment of Guardian

	COUNSEL:
CHARLES E HILL	(PET)...PRO/PER
DIANNE M HILL	(PET)...PRO/PER
ALANA M WIER	(MIN)...

GENERAL INFORMATION: Temporary letters issued 8/21/06

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by
maternal grandparents, minor 2

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Need to file notice of hearing and proof of service per order prescribing notice.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02225

CASE NAME: MATTER OF ISAIAH SALAZAR

HEARING:
Petition for Appointment of Guardian

	COUNSEL:
KATHRYN A LUNA	(PET)...PRO/PER
RICHARD LUNA	(PET)...PRO/PER
ISAIAH SALAZAR	(MIN)...

GENERAL INFORMATION
Temporary letters issued 8/21/06

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by non-relatives, minor 11

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Need to file notice of hearing and proof of service per order prescribing notice.
2. Need DCS report as petitioners are non-relatives.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02226

CASE NAME: MATTER OF SAMAYA J ALDREDGE

HEARING:
Petition for Appointment of Guardian

COUNSEL:
BRENDA G LEWIS (PET)...PRO/PER
SAMAYA J ALDREDGE (MIN)...

GENERAL INFORMATION
Temporary letters issued 8/22/06

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by
maternal grandmother, minor 5 months

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Proof of mailed service is filed as to mother and father (who reside in Arizona). Need proof of certified mail.
2. Need to file notice of hearing and proof of service on paternal grandparents or due diligence declaration.
3. Court may wish to review confidential screening form (tabbed).

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02227

CASE NAME: MATTER OF DESERIEE CHRISTINE GONZALEZ

HEARING:
Petition for Appointment of Guardian

COUNSEL:
MARTA LAURA MORENO (PET)...PRO/PER
DESERIEE CHRISTINE GONZALEZ (MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by paternal grandmother, minor 3

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Father has signed nomination, waiver and consent.
2. Need to file notice of hearing and proof of personal service on mother.
3. Due diligence declaration filed as to MGF indicating name/whereabouts are unknown and thus, efforts to locate MGF were unsuccessful. JTD
4. Court may wish to review confidential screening form (tabbed).

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02228

CASE NAME: MATTER OF AMBER D ROSS ET AL

HEARING:
Petition for Appointment of Guardian

COUNSEL:
BRENDA E GRISSOM (PET)...PRO/PER
AMBER D ROSS (MIN)...
TANJONIQUE E CRAWFORD (MIN)...

GENERAL INFORMATION
Temporary letters issued 8/23/06

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by
maternal grandmother, minors 9 and 2

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;
1. Need to file notice of hearing and proof of service per order prescribing
notice.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/13/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02229

CASE NAME: MATTER OF JUSTIN TYJOHN GRISSOM

HEARING:
Petition for Appointment of Guardian

COUNSEL:
BRENDA E GRISSOM (PET)...PRO/PER
JUSTIN TYJOHN GRISSOM (MIN)...

GENERAL INFORMATION
Temporary letters issued 8/23/06

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by
maternal grandmother, minor 2

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;
1. Need to file notice of hearing and proof of service per order prescribing
notice.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002427

CASE NAME: ESTATE OF JAMES HOWARD KRAHL

HEARING:
Hearing re Final Discharge

COUNSEL:
JENNIFER L KRAHL (PET)...ROBERT D EPPLER
JAMES HOWARD KRAHL (DEC)...

GENERAL INFORMATION
Order for Final Distribution granted 12/28/05

THIS CASE IS SET FOR HEARING ON Receipts/Final Discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Receipts are filed. However, need statement per Pr.C. §11753 (recording information for transferring title to real property to beneficiaries of estate).
2. Need to submit final discharge declaration/order.

RECOMMENDATION:
Find out status of final discharge and require statement per Pr.C. §11753.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002463

CASE NAME: ESTATE OF ALINE J MILLS

HEARING:
Hearing Re: PTN FOR CONTINUED ADMINISTRATION OF ESTATE.

	COUNSEL:
DOYLE L MILLS	(PET)...ALAN T HOLMES
ALINE J MILLS	(DEC)...

No file available for review.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002511

CASE NAME: ESTATE OF CHESTER CLAIRE WARNER

HEARING:
Accounting Review

COUNSEL:
SHERRY LYNN RAMOS (PET)...DAVID W BROWN
CHESTER CLAIRE WARNER (DEC)...

GENERAL INFORMATION: continued from 2-3-06, 5-5-06 & 7-7-06. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter is set for accounting review. No accounting has been filed.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall take action per Pr.C. § 11050.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002654

CASE NAME: ESTATE OF REX E GREER

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
GARY STEPHEN GREER (PET)...ALLEN A FALSETTI INC
REX E GREER (DEC)...

GENERAL INFORMATION:
The final inventory was filed 8/15/06. This matter may go off calendar.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002758

CASE NAME: ESTATE OF BOBBY RAY KNUCKLES

HEARING:
Accounting Review

COUNSEL:
BOBBY R KNUCKLES JR (PET)...JOHN F WEBER
JEFFREY SCOTT KNUCKLES (PET)...JOHN F WEBER
BOBBY RAY KNUCKLES SR (DEC)...

GENERAL INFORMATION
Letters of Administration issued 9/12/05

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Accounting and/or status report is not filed.

RECOMMENDATION:
Find out status.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002761

CASE NAME: ESTATE OF KATHIE JO STEVENS

HEARING:
Accounting Review

COUNSEL:
JUDITH LEE BROWN (PET)...DAVID W BROWN
KATHIE JO STEVENS (DEC)...

GENERAL INFORMATION
Letters Testamentary issued 8/30/05

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Accounting and/or status report is not filed.

RECOMMENDATION:
Find out status.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002774

CASE NAME: MTR OF JERMAN A GUERRA

HEARING:

OSC re: FAILURE TO FILE REQ DOCS/SANCTION & REMOVAL

COUNSEL:

PRIMERICA LIFE INSURANCE COMPA(PET)...POHLS & ASSOCIATES
JERMAN A GUERRA (DEC)...
DONALD B CRIPE ESQ (PET)...POHLS & ASSOCIATES
DONALD B CRIPE ESQ (ADM)...POHLS & ASSOCIATES

GENERAL INFORMATION: continued from 7/7/06. Citation issued.

THIS CASE IS SET FOR HEARING ON OSC re failure to file inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The inventory and appraisal has not been filed. Letters have never issued (as bond was not posted) so inventory and appraisal is not legally due. Bond is now posted. Letters are on left side of file and can issue. Inventory is due 4 months from the date letters issue. Does court wish to re-set review date on inventory?
2. Citation was served 7/25/06. Cost of service was \$40.00.

RECOMMENDATION:

If court sets new review date on filing inventory, court may wish to set hearing 4/18/07.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002829

CASE NAME: MTR OF RODNEY LEE FULCHER AKA ROD L FULCHER

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
RHONDA ANDERSON (PET)...CALDWELL, KENNEDY & PORTER, A.
RODNEY LEE FULCHER (DEC)...

GENERAL INFORMATION continued from 5-12-06 & 8/25/06. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. We have only a partial inventory and appraisal in the file. When will the final inventory and appraisal be filed? **Response filed by counsel alleging the administrator is still marshaling estate assets.**

RECOMMENDATION:
Determine status

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002929

CASE NAME: ESTATE OF OSCAR ALONSO

HEARING:
Hearing Re: FIRST AND FINAL REPORT ETC.

	COUNSEL:
LORETTA ALONSO	(PET)...PHYLLIS M GALLAGHER
OSCAR S ALONSO	(PET)...PHYLLIS M GALLAGHER
OSCAR ALONSO	(DEC)...

No file available for review.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002948

CASE NAME: ESTATE OF THOMAS J MASON

HEARING:
Spousal Property Petition hearing.

COUNSEL:
TERRY J MASON (PET)...PRO/PER
THOMAS J MASON (DEC)...

GENERAL INFORMATION: continued from 4/14/05, 4/28/06, 5-26-06 and 9/1/06.
Nothing new filed.

THIS CASE IS SET FOR HEARING ON Spousal Property Petition

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner alleges that due to the fact that he and decedent were married and living together at the time of the decedent's death this means that the property is property passing to him. These are insufficient facts to form this conclusion. How is title held? What assets were used to purchase the property? When was the property acquired? When were petitioner and decedent married? **Supplement filed and title is held in decedent's name as a single man. Petitioner and decedent were married on 2/6/99, but lived together as husband and wife since 12/1994. Petitioner alleges the property was purchased with mutual funds and petitioner assumed her name was on title.**
2. Section 5(a)(2) of the petition is not completed as to whether or not decedent was survived by issue of a predeceased child. File verified supplement.
3. Notice of hearing and proof of service is filed, however, date of service and place of service is incomplete. Need completed proof of service.

RECOMMENDATION:
Need to clear notes 2 & 3 and then court's discretion.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002954

CASE NAME: ESTATE OF RONALD BERT MENDEZ

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
CYNTHIA KAY MENDEZ (PET)...HAYTON LAW CORPORATION
RONALD BERT MENDEZ (DEC)...

GENERAL INFORMATION:
The final inventory was filed 8/23/06. This matter may go off calendar.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002967

CASE NAME: ESTATE OF JAYNE HETTIE SMITH

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
AMANDA PIPOLO (PET)...DAVID W BROWN
JAYNE HETTIE SMITH (DEC)...

GENERAL INFORMATION

The final inventory was filed on 8/9/06. This matter may go off calendar.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS003169

CASE NAME: ESTATE OF ALICE L RUNNELS

HEARING:

Hearing Re: PTN TO REMOVE CO-TRUSTEE;APPT SUCCESSOR ETC.

COUNSEL:

VICKIE RUNNELS	(PET)...KENNEDY, JIMENEZ & PANKRATZ
ALICE L RUNNELS	(DEC)...
KEVIN K RUNNELS	(OBJ)...CALDWELL, KENNEDY & PORTER, A.

GENERAL INFORMATION: On 7/18/06 court denied ex parte petition to remove Kevin Runnels as co-trustee. Court also ordered no assets of the trust is to be transferred, conveyed, or encumbered until next hearing and that escrow may proceed
Continued from 8/25/06. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Petition to Remove Co-Trustee and Appoint Successor Trustee and request for reimbursement filed by Vickie Runnels

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Need to file notice of hearing and proof of service
2. Petitioner (Vickie Runnels) is a beneficiary and co-trustee of the Alice L. Runnels Revocable Trust. Petitioner alleges the co-trustee (Kevin Runnels) has breached his fiduciary duty to reasonably inform the co-trustee and has either hidden, stolen or sole property in the Trust without first informing petitioner as co-trustee. Petitioner requests the court to remove Kevin Runnels as co-trustee and also requests the court to order the co-trustee to formally account to the court. Court may wish to inquire of petitioner whether written request has been made for an accounting and more than 60 days have elapsed since the request per Pr.C. §17200.
3. Need to file copy of Trust.
4. Objections filed by Kevin Runnels alleging petitioner has made no description of property allegedly taken or hidden and the allegations made are half-truths, conjecture and supposition.

5. Objector has filed his own petition for removal of co-trustee and request for reimbursement which is calendared for 9/22/06.

RECOMMENDATION:

Require copy of Trust, require accounting by Kevin Runnels and set for evidentiary hearing.

CASE #: VPRVS003169

CASE NAME: ESTATE OF ALICE L RUNNELS

HEARING:

OSC re: PTN OF CO TRUSTEE TO REMOVE CO TRUSTEE

COUNSEL:

VICKIE RUNNELS

ALICE L RUNNELS

KEVIN K RUNNELS

(PET)...KENNEDY, JIMENEZ & PANKRATZ

(DEC)...

(OBJ)...CALDWELL, KENNEDY & PORTER, A.

See prior notes (above)

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS003192

CASE NAME: ESTATE OF NORMA DEFAZIO

HEARING:
Hearing Re: COMPETING PETN FOR LTTRS ADMIN W/FULL AUTH IAEA.

	COUNSEL:
LUCINDA SPEER	(PET)...CALDWELL, KENNEDY & PORTER, A.
NORMA DEFAZIO	(MIN)...
DINO DEFAZIO	(PET)...WAGNER & PELAYES, LLP
CHRISTINA GORDON	(PET)...WAGNER & PELAYES, LLP
LISA BYRD	(PET)...WAGNER & PELAYES, LLP

No file available for review.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS003207

CASE NAME: ESTATE OF ALICE R NOGUIER

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

LOIS JEANNE FIFIELD (PET)...PRO/PER
ALICE R NOUGUIER (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Probate and for Letters Testamentary
with full authority under IAEA, no bond

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Will waives bond. However, petitioner is a non-resident and court has discretion to require bond per Pr.C. §8571. Estimated value of estate is personal property of \$209,600. JTD
2. Need to file Notice of Petition to Administer Estate and proof of service.
3. Need to file proof of publication.

RECOMMENDATION:

If petition granted court will have to set future dates. Set hearing for filing of inventory and appraisal for 4-18-07. Set hearing for filing of status report and/or accounting for 11-14-07. Any accounting to be filed 30 days in advance.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS003212

CASE NAME: MATTER OF LUCILE ELOUISE STROEVE

HEARING:
Petition to determine succession to Real Property

COUNSEL:
ROGER D STROEVE (PET)...PRO/PER
JANET L STROEVE (PET)...PRO/PER
LUCILE ELOUISE STROEVE (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition to determine succession to real property

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioners (son and daughter of decedent) each claim an ownership interest in decedent's 50% interest in real property (5 acres of vacant land) per laws of intestacy.
2. Procedurally correct.

RECOMMENDATION:
RFA absent objection.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS003213

CASE NAME: MATTER OF WERNER JOHN STROEVE

HEARING:
Petition to determine succession to Real Property

COUNSEL:
ROGER D STROEVE (PET)...PRO/PER
JANET L STROEVE (PET)...PRO/PER
WERNER JOHN STROEVE (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition to determine succession to real property

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioners (son and daughter of decedent) each claim an ownership interest in decedent's 50% interest in real property (5 acres of vacant land) per laws of intestacy.
2. Procedurally correct.

RECOMMENDATION:
RFA absent objection.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS003214

CASE NAME: ESTATE OF DONALD NELS LORENZ

HEARING:
Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:
STEVEN LORENZ (PET)...EDWARDS ASHT ON & GIN
DONALD NELS LORENZ (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner requests bond be waived as all heirs have waived bond.
2. Need to file Duties and Liabilities of Personal Representative, together with confidential supplement.
3. Need to file Notice of Petition to Administer Estate and proof of service.
4. Need to file proof of publication.

RECOMMENDATION:

If petition granted court will have to set future dates. Set hearing for filing of inventory and appraisal for 4-18-07. Set hearing for filing of status report and/or accounting for 11-14-07. Any accounting to be filed 30 days in advance.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS003215

CASE NAME: ESTATE OF BERDENE ELECTRA MILEY

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

LARRY WRIGHT (PET)...BETTY AUTON-BECK
BERDENE ELECTRA MILEY (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Probate and for Letters Testamentary
with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner alleges Will waives bond. However, Will waives bond as to
nominated executor only (who is Donald Wright, Jr.). Thus, need waiver of
bond by all residual beneficiaries. Alternatively, court could require bond of
\$280,000. JTD
2. Question whether named executor, Donald Wright, Jr., has declined to act?
File declination and/or verified supplement.
3. Need to file proof of publication.

RECOMMENDATION:

If petition granted court will have to set future dates. Set hearing for filing of inventory and
appraisal for 4-18-07. Set hearing for filing of status report and/or accounting for 11-14-07.
Any accounting to be filed 30 days in advance.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS003216

CASE NAME: ESTATE OF FRANK D RALSTON, III

HEARING:

Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

GEORGE H LIPPEMEIER (PET)...GREGORY L ZUMBRUNN
FRANK D RALSTON III (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Administration with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner requests bond be waived as proceeds from sale of real property will be placed in blocked account. Sole heir is mother who is deceased and petitioner is trying to locate deceased mother's estate representative. Petitioner is a nonresident and court has discretion to require bond per Pr.C. §8571 (estimated value of estate is \$10,000). Does court wish to grant only limited authority? JTD
2. On notice of petition to administer and proof of service, there is listed a Wilson H. Parma. Wilson Parma is not listed on Attachment 9 of the petition and thus, unknown relationship. File verified supplement.
3. There is proof of service filed as to David Dirks, estate representative of decedent's mother. Question relationship of David Dirks to this decedent, if any? File verified supplement.
4. Need to file proof of publication.

RECOMMENDATION: Need to clear notes. If petition granted court will have to set future dates. Set hearing for filing of inventory and appraisal for 4-18-07. Set hearing for filing of status report and/or accounting for 11-14-07. Any accounting to be filed 30 days in advance

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS00809

CASE NAME: MTR OF THE MYERS TRUST DATED OCTOBER 27 1986

HEARING:

Hearing Re: PETN FOR ORDER INTERPRETING/MODIFYING TRUST ETC.

COUNSEL:

THE MYERS TRUST (PLA)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Order Interpreting the Trust,
Modifying the Trust and Appointing Successor Trustee

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Notice of Hearing and proof of service is filed, however, date of mailing is incomplete. Need completed proof of service.
2. Petitioner (Marcia H. Myers) is one of the original settlors and trustee of the Myers Revocable Trust dated 10/27/86 and restated on 6/1/96. Albert R. Myers, the other original settlor died on 1/11/97. Upon the death of one of the original settlers, the trust was to be split into three subtrusts (Survivor's Trust, Marital Trust and By-Pass Trust) with petitioner as the sole beneficiary of all three trusts. The Survivor's Trust is revocable and funded with petitioner's share of the Trust estate. The By-Pass Trust is irrevocable and funded with a portion of decedent's share of the trust estate worth \$600,000 effective 7/11/97. The Marital Trust is irrevocable and funded with the balance of the decedent's share of the trust estate worth approx. \$879,000 effective 7/11/97.
3. Petitioner seeks an order interpreting the Trust, Modifying the Trust and Appointing Successor Trustee as follows:
 - (a) Petitioner seeks to have the court determine/interpret the Trust as to whether petitioner has power of appointment over the Marital Trust and if so, the extent of the power. Article 9A of the Trust defines the

scope of the power of appointment but only refers to the Survivor's Trust. Article 9B, however, refers to both the Survivor's and Marital Trusts as having the power of appointment and the power applies to all of the assets of each trust. Article 7, paragraph F provides that the primary objective of the Marital Trust is to qualify for the marital deduction under Internal Revenue Code Section 2056(b)(7). This IRC section specifically provides that a power to appoint property from a trust to any person other than the surviving spouse will be permissible if exercisable only at or after the death of the surviving spouse. Petitioner notes that Article 9B appears to be an extension of Article 9A limits the exercise of the power of appointment to after the death of petitioner and thus consistent with the primary objective of the Marital Trust of qualifying it for the marital deduction under the IRC section. Petitioner requests an order of the court stating that the power of appointment in Article 9A of the Trust applies to the Marital Trust as well as the Survivor's Trust.

- (b) Petitioner seeks to modify the trust as to the distribution for Derek and Kira Westfall. At Article Nine, paragraph F, subparagraph 4, a distribution would pass to Derek Westfall as Trustee for the benefit of Derek and Kira with scattered distributions at 35, 40 and the balance at 45. Under Pr.C. §15409, the court can modify the dispositive provisions of the trust if "owing to circumstances not known to the settler and not anticipated by the settlor, the continuation of the trust under its terms would defeat or substantially impair the accomplishment of the purposes of the trust. Petitioner has set forth in a declaration that sets forth changes in the circumstances in the lives of Derek and Kira and petitioner seeks an order to modify the trust so that the distribution to Derek and Kira is outright and free of trust.
- (c) Petitioner seeks to modify the trust as to requiring the family physician, Karl Sandberg, M.D., or his successor from determining physical or mental incapacity at Article Five, paragraph A of the trust. Said Article provides that two doctors, one of whom should be the family physician, Karl Sandberg, M.D., should issue written certificates to physical or mental incapacity when needed. Petitioner alleges Dr. Sandberg has moved away from California. Petitioner requests that the trust be modified to eliminate the working "one of whom should be the family physician, Karl Sandberg, M.D., or his successor" from Article Five, paragraph A of the Trust.
- (d) Petitioner seeks to modify the Trust as to the appointment of Successor Trustee (Article Fifteen, paragraph A). Petitioner would like to have a corporate trustee, PFF Bank & Trust to serve as successor trustee, or alternatively, Citizens Business Bank. The contingent successor trustees have submitted written declinations.

4. No objections have been filed at the time of the review of this file.

RECOMMENDATION: Need to clear note 1 and then court's discretion.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS01815

CASE NAME: ESTATE OF VIRGINIA K CAREL

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
SHARON K STATON (PET)...PRO/PER
VIRGINIA K CAREL (DEC)...
LARRY R CAREL (PET)...MICHAEL H ELAM
DEPT OF HEALTH SERVICES (TP)...

GENERAL INFORMATION continued from 7/7/06 as due clerical error letters never issued. Letters Testamentary were now issued effective 6/16/06.

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Inventory still not filed.

RECOMMENDATION:
Find out status.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS01905

CASE NAME: ESTATE OF MARSHALL VAN BUREN WILLIAMS

HEARING:

Hearing Re: PETN FOR SETTLMT OF FIRST & FINAL ACCT ETC.

COUNSEL:

LISA Y WILLIAMS (PET)...PRO/PER
MARSHALL VAN BUREN WILLIAMS (DEC)...
MARSHALL WILLIAMS (TP)...JANET M HERRING

GENERAL INFORMATION continued from 2-3-06, 5-5-06 & 7/7/06. Nothing new filed.

THIS CASE IS SET FOR HEARING ON first and final report and account.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. During the course of the administration the real property was lost to foreclosure and the 2003 Nissan Maxima was repossessed. Petitioner alleges that the Maxima was returned to the lender, as the estate could not afford to keep up the payments. A review of the accounting establishes that most of the liquid assets were used to attempt to bring the mortgage on the real property current prior to the foreclosure. What efforts were made to liquidate these items prior to their loss? **Supplement filed and petitioner alleges the mortgage was being paid by family members who also resided in the property. However, petitioner alleges that the residents ceased making the payments unbeknownst to petitioner and there was not enough time to sell the property.**
2. If no efforts were made, the petitioner could potentially be liable for surcharge. There is no request for surcharge in the file at this time.
3. Petitioner alleges that statutory fees are \$553.45. Petitioner has deducted the loss after foreclosure in making this calculation. However, under *Estate of Stein* (1968) 267 Cal. App. 2nd 631 foreclosure on an asset even during the proceeding is not a loss as far as calculation of fees are concerned. Therefore statutory fees are in fact \$5,712.76. It should be noted that the court does have the power to reduce the

amount of fees if the court finds all of the following: 1) time taken to file the final exceeds the time required by the code or by the court; 2) time taken was within the control of the administrator; and (3) the delay was not in the best interests of the estate. Pr.C. § 12205. Matter was admitted to probate 1-31-03. The court had to cite the petitioner into court on 3 occasions in order to get her to file the final. Judge to decide. **Supplement filed and petitioner requests her statutory commission of \$5,712.76.**

4. There is no objection in the file at the time of this review.

RECOMMENDATION:

If petition granted court will have to set future dates. Set hearing for filing of receipts and final discharge order for 11/14/07.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS02148

CASE NAME: ESTATE OF LUCILE FRANCES HAYES

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
MARVIN FREDERICK HAYES JR (PET)...MURTAUGH, MILLER, MEYER & NELS
LUCILE FRANCES HAYES (DEC)...
DIANE MEANS (PET)...RICHARD G ANDERSON

GENERAL INFORMATION

Order for Special Administration granted 5/5/06 and this review date was set

THIS CASE IS SET FOR HEARING ON filing Inventory & Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Inventory is not filed.

RECOMMENDATION:
Find out status.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS02152

CASE NAME: ESTATE OF WILLIAM ROBERT KEES

HEARING:
Accounting Review

COUNSEL:
PATRICIA ROBERT KEES (PET)...DAVID W BROWN
WILLIAM ROBERT KEES (DEC)...

GENERAL INFORMATION

Letters Testamentary issued 9/10/03

This case was opened for asbestos litigation, wrongful death action. Petitioner was awaiting word on case from Texas in April, 2006.

Continued from 4/7/06.

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Only Partial Inventory is filed. Court may wish to inquire status of final inventory.
2. A minimal status report has been filed. No notice of hearing in accord with the requirements of Pr.C. §12201 was filed. That form of notice is mandatory.

RECOMMENDATION:

Find out status of litigation and require petitioner to file proper noticed status report per Pr.C. §12200 et seq. Set review hearing on status report for 60 days.

CASE #: VPRVS02152

CASE NAME: ESTATE OF WILLIAM ROBERT KEES

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

PATRICIA ROBERT KEES (PET)...DAVID W BROWN

WILLIAM ROBERT KEES (DEC)...

See prior notes (above).

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/13/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS02176

CASE NAME: ESTATE OF DIANNA LEE MORRISSEY

HEARING:
Hearing re Final Discharge

COUNSEL:
LISA RODENBUCHER (PET)...GREGORY ZUMBRUNN, ESQ
DIANNA LEE MORRISSEY (DEC)...
STATE OF CALIFORNIA FRANCHISE (TP)...PRO/PER

GENERAL INFORMATION
Order for Final Distribution entered 9/14/05

THIS CASE IS SET FOR HEARING ON filing Receipts/final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Receipts are filed.
2. Need to submit final discharge declaration/order.

RECOMMENDATION:
Find out status.